

# **EXHIBIT D**

**Messer, Suzanne**

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**From:** Blake Abbott <[blake@akimlawfirm.com](mailto:blake@akimlawfirm.com)>  
**Sent:** Friday, June 18, 2021 8:05 PM  
**To:** Messer, Suzanne  
**Cc:** Fellows, Jonathan; CULT  
**Subject:** Re: Upcoming Discovery Responses/Deposition in Pace University

**External Email:** Use caution before clicking links or opening attachments.

Suzanne,

We do not know the extent, other than it was life-threatening. We plan to move the court for an extension of the discovery deadline once we have her consent.

On Fri, Jun 18, 2021 at 2:21 PM Messer, Suzanne <[messers@bsk.com](mailto:messers@bsk.com)> wrote:

Dear Blake,

Please provide information regarding the nature of Plaintiff's injury, when she might be available for her deposition, and when you will provide responses to our discovery demands.

Simply extending the already extended time for you to answer our discovery does not address the discovery deadline of August 6. If you cannot produce Plaintiff on the noticed date, and cannot provide any more concrete information, it appears you will need to go to the Court to extend the current discovery deadline.

Suzanne Messer, Esq.

315.218.8628

**From:** Blake Abbott <[blake@akimlawfirm.com](mailto:blake@akimlawfirm.com)>  
**Sent:** Thursday, June 17, 2021 5:38 PM  
**To:** Messer, Suzanne <[messers@bsk.com](mailto:messers@bsk.com)>; Fellows, Jonathan <[fellowj@bsk.com](mailto:fellowj@bsk.com)>; CULT <[cult@akimlawfirm.com](mailto:cult@akimlawfirm.com)>  
**Subject:** Upcoming Discovery Responses/Deposition in Pace University

**External Email:** Use caution before clicking links or opening attachments.

Suzanne,

We recently learned that our client was hospitalized with a serious injury. We were able to touch base with her a few weeks ago and have not been able to communicate with her since. We are fearful that she may have been hospitalized once again. Would you be agreeable to an extension for our upcoming discovery response deadline and rescheduling of her deposition?

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**Blake G. Abbott, Esq.**

**Anastopoulos Law Firm, LLC**

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**Blake G. Abbott, Esq.**

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